THE VIRGINIA GAZETTE, & GENERAL ADVERTISER.

RICHMOND:—PRINTED (EVERY TUESDAY AND FRIDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

NUMBER 980.] TUESDAY, MARCH 9, 1802. [VOLUME XVI.

RUNAWAY,

From the Subscriber, on Friday last, a yellow man slave named

Anthony.

HE is about five feet eight inches high, twety-five years old, has a remarkable thick black beard, had on when he went away a short blue coat, bordered with red, with a red cape; he also took with him a variety of other cloathing; was formerly the property of Mr. Henry Gerard Latus, at the Bowling-Green, where it is supposed he will attempt to go. He was born in Richmond county, and has acquaintances in Surry. Any person who will secure the above mentioned slave, or deliver him to me in this place, shall receive compensation adequate to the trouble, and all expences paid.

BEN: MOSBY.

Richmond, Feb. 8, 1802. tf

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the present and approaching Season, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK,
Of Petersburg, and
ROBERT POLLOK & Co.
Of Manchester,

Are also now opening their Supplies of

FALL AND WINTER GOODS

Richmond, October 8, 1801.

THE CONNECTION between BERKELEY and DAVIS, at the EAGLE-TAVERN, is dissolved this day. All persons having claims against them, are requested to make them known immediately.

Richmond, Feb. 16, 1802. 3w

New Millenery.

M. PHEPOE,

RESPECTFULLY informs the Ladies of Richmond and its vicinity, that she has received by the last arrivals from London and New-York, an elegant Assortment of MILLENERY, of the newest and most approved fashions, consisting of Circassian Turbans, Jockey Caps, Helmet Do. Dutchess of York's Whim, Buffoons, Cestus's, Feathers, Flowers, Wreaths, &c. &c. which are now open for their inspection, at the house occupied as a store by Mr. Henry M'Clatchy, upper end of the main street, near Shockoe Hill.

Richmond, Feb. 16, 1802. tf.

James P. Hopkins,

TAYLOR,

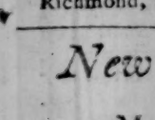
[OPPOSITE THE CITY HOTEL]

RETURNS his grateful thanks to the citizens of Richmond and its vicinity for the encouragement he has received, and assures them, that no exertion on his part shall be wanted to deserve their future favours, being provided with good workmen, he will be able to serve them on the shortest notice, with the newest fashions and his usual punctuality.

☞ Those of his country customers who are indebted to him, will serve him materially by immediate payment.

Richmond, Feb. 16, 1802.

For Freight or Charter,



The fast sailing new brig

TYGER,

now laying at Norfolk, burthen about 190 tons—will take about 200 Hhds. Tobacco, or 2000 Barrels Flour; is in complete order and ready to receive a cargo. For terms apply to

WILL. TEMPLE.

Richmond, 15th Feb. 1802.

Mrs. Davidson,

HAS REMOVED to the house lately occupied by Mr. Gorlier, next door to Mr. Robert Gordon, where she intends carrying on the business as formerly. She has received by the last arrivals from New-York, a handsome assortment of

MILLENERY,

With a variety of Gold, Silver, Silk, and Cotton Trimmings, which she will dispose of by retail.

Richmond, March 1st, 1802.

Old Dare-Devil

STANDS at my house in Chesterfield county on Appomatox river, fifteen miles above Petersburg, ten from the court house, and will cover mares by the season at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of August, when the season expires. Mares may be fed with grain at twenty-five cents per day, which must be paid before they are taken away.—It is needless to swell the advertisement with his pedigree and performance, as they have been so often ascertained heretofore—Undoubtedly he was as fleet a horse as any in England in his day—as to his blood, it is from the first crosses; that is, Herod and Eclipse. Dare Devil's get speaks for themselves, as they are the best racers on the continent, which was made manifest by their run last fall. They won at Richmond, Petersburg, New-Brunswick, Hick's-Ford, Norfolk, Warrington and Tarborough, besides at many other places. No responsibility for accidents.

THOMAS GOODE.

February 12, 1802.

N. B. One Dollar to the groom.

Land for Sale.

PURSUANT to a decree of the worshipful court of King William county, made on behalf of James Price, and Wm. Brooke, complainants, against Robert Price defendant, the tract of LAND, on which Mr. Robert Price now resides, in the said county, will be sold, at King William court house, on the 22d day of March next, for ready money.—There is a convenient and large brick house, with other necessery buildings on the said land, and it is supposed that the quantity of acres contained in the tract, is between 700 and 800. This situation is considered not only healthy, but elegant; and commands an extensive view, up and down the Mattapony River, on whose banks it lies. It abounds with wild fowl and forusses; is in the vicinity of good fisheries, and well supplied with oysters from York River. The soil is stiff and clayey and of middling quality. This seat is about 8 miles distant from King-William court house, and within two miles of Frayser's Ferry.

The Commissioners.

February 8, 1802.

Sales at Auction.

THE subscribers again beg leave to inform their friends and the public, that being still desirous to close Sales of a considerable consignment of MUSLINS, consisting of elegant tamboured, printed, lappel, and printed shawls, amounting to £.1000 sterling, offer them at currency for sterling, for Tobacco, of good weights, of the Richmond or Manchester inspection, at 33s. per cwt. or approved notes, or acceptances, at 6 months.

PROSSER & MONCURE, V. M.

P. S. Will be sold on the premises, on Saturday the 20th March, at 11 o'Clock, A. M. for approved Notes at 60 days, One Square LOTS, on Shockoe Hill, within the corporation of the city, and known by the Nos. 59, 60, 69 and 68, in Wm. G. Payne's platt, dated 10th January 1799.

Also—One Lot, known by the No. 631, adjoining the Lots of Mr. Patrick Gibson.

P. & M. V. M.

Richmond, Feb. 22, 1802.

Eighty Dollars Reward.

STOLEN,

On the night of the 19th of January, a blood

Bay Gelding,

RISING eight years old, about 15 hands high, nicked, and branded on the left buttock O, which shews very plain; a little white on the right hind foot just above the hoof, about half way round, which may not be observed unless examined, paces, trots and gallops. He may be disfigured to prevent discovery, by altering the brand, cutting off his ears, or otherwise. He was stolen by a man whose real name, I am informed is, Obadiah Williams, though he has passed by several other names; he is six feet (or upwards) high, with large grey eyes, fair complexion, and short light hair, has a scar on the right side of his nose, and a small bit of the nostril is torn or cut out. I will give 50 dollars on conviction of the thief; 30 dollars on the delivery of the horse, or 20 dollars for such information as may enable me to get him again.

Laurence Battaile.

Caroline County, Feb. 8, 1802. 7w

FOR SALE,

On the premises, on the 3d day of March next, if fair, if not the next fair day, that valuable property well known by the name of

SEAWELL's TAVERN,

CONTAINING 210 acres, more or less, lying in the county of Gloucester, five miles from Gloucester Town, and ten miles from the Court-house. There is on the land a good dwelling-house, kitchen and stables; also, a good apple orchard, with a race ground, equal, if not superior to any in this state. The place is well situated for a tavern, store, or a country seat, being convenient to fish and oysters; the soil is adapted to the culture of corn, wheat, and tobacco, with a plenty of oak and pine timber. The terms of sale are, four hundred pounds, cash, and twelve months credit will be given for the balance of the purchase money; for which a mortgage on the land will be required, by

JOHN SEAWELL, Jun.
Attorney in fact, for
JOSEPH SEAWELL, Sen.

February 14, 1802. 3t.

By virtue of two deeds of trust executed to the subscriber by William Mead, will be exposed to sale, at public auction, for ready money, on the premises, for the purpose of discharging a debt due to Thomas Goodwin, Esq. of Fredericksburg, and a debt due to Mr. Joseph Sandidge of Louisa; on Saturday the 27th day of March next, the

Tract of Land,

WHEREON the said Mead now resides, on Contrary River, in Louisa county, containing 216 acres, more or less and is adjoining the lands of George and Joseph Boxley, Walter Lewis, William Kimbrough, John Barrass, John Gibson and Daniel Ford.

SAMUEL OVERTON, jun. *Trustee*

Louisa county, Feb. 8, 1802. tdf

TO BE SOLD,

At Mr. Zachariah Brooke's Tavern, in Manchester, on Thursday the 18th day of March next, about

Twenty Slaves,

CONSISTING of men, women, boys and girls, very likely and valuable, among them are some experienced watermen, and valuable house servants; and, on Monday the twenty-second day of next month, at Dr. Philip Turpins, in Chesterfield county, a variety of

Genteel Furniture,

Consisting of beds, chairs, tables, &c. &c. a number of well chosen books, some plantation utensils, and some stock of different kinds, belonging to the estate of the late Daniel M'Callum, dec'd.

Terms of sale, ready money, but approved acceptances of merchants in Manchester or Richmond, payable in sixty days, with interest from the day of sale, for all sums above thirty dollars, will be received in payment.

JOSEPH FRIEND,
Surviving Executor.

Manchester, Feb. 22, 1802. eptdf

For Sale, at Auction,

On Tuesday, the 17th instant, on the Cross Street next below the Eagle Tavern,

THE FOLLOWING ARTICLES, *viz:*

For Cash.
- 4 Bales Negro Cotton;
- 50 Pieces do.
- 100 do. India Cotton;
- 1 Trunk Tambor'd and Jaconet Muslin;
- 1 do. Book Muslin;
- Callimanco, Leather and Morocco Slippers;
- And a variety of other articles.

For approved Notes at 6 Mos. At 4 Mos. At 60 days.
- 1 Pieces Drab and Mixt Cassimeres;
- 9 do. 7-4 Green & Mixt Coatings;
- 5 do. Double & Single Cloths;
- 1 Bale Kendal Cottons;
- 30 Pieces do.
- 20 Pieces White Plains;
- 10 do. Coarse Cloths;
- 40 do. Bath Coatings.
- 20 Hhds. Brown Sugar;
- 20 do. 3 & 4 proof Antigua Rum;
- 50 Bags Coffee;
- 15 Boxes Soap;
- 3 do. Glass Ware, &c. &c.

Thomas Taylor, V. M.

March 1st, 1802.

A Young Man

WHO understands Book-Keeping and would prefer some riding, may hear of employment at this Office.

Notice!

WHEREAS the House of HOOPER & TOLLER has conveyed to us as Trustees for the benefit of its Creditors, the whole of its Stock and Merchandize in trade, and all its outstanding debts: We therefore give notice to those indebted to said firm, that they are to make payment to us along.

Robert Gamble,
James Brown,
Charles Macmurdo.

Richmond, 1st March, 1802. 4w.

Hampden Sidney,

January 22. 1802.

THE TRUSTEES of the College wish to inform the public, that the buildings are in good repair for the reception of Students; and that the Rev. Archibald Alexander, who some months ago gave up the charge of the College as President, has consented to return, and has been re appointed to that office. 4w

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To the Freeholders of the Senatorial District composed of the counties of Henrico, Goochland, *and* Louisa.

FELLOW-CITIZENS,

WITH grateful acknowledgments for the honor you did me by my election as senator for the last term, and a consciousness of having discharged my duty to you and the commonwealth according to the best of my feeble abilities, I take the freedom through this medium to make known to you my willingness to serve the district for the ensuing term.—Should my former services be now rewarded by your approbation, the highest possible reward, I flatter myself that my future conduct will be correspondent with the true interest of my country and constituents—whilst I remain with grateful respect and esteem,

Your obt. humble servant,
THOMAS ROYSTER.

March 1st, 1802.

The Thorough Bred Horse,

Americus;

WILL Stand at my stable the ensuing season, and will cover mares at the moderate price of Twenty Dollars the season, Eight Dollars the leap, or Thirty Two Dollars to insure a mare being with foal, and in either case, Half a Dollar to the Groom. The leap money to be sent with the mares, notes for the season must be sent with the mares also; but the twenty Dollars may be discharged by the payment of sixteen on or before the last day of July, at which time the season will expire. The season will commence on the 25th day of March. Mares will be fed with grain if required at the market price; rich and extensive pasturage, and the board of boys gratis—all possible care taken of mares, but no responsibility for escapes or accidents.

AMERICUS

Was got by Shark, his dam by Wildair, his grand dam by Vampier, out of col. Braxton's imported mare Kitty Fisher.—Wildair was got by Fearnought, Fearnought by Regulus, Regulus by the Godolphin Arabian. Kitty Fisher was got by Cade, which was got by the Godolphin Arabian. Americus' dam was the dam of Melzar, Kitty, Medley, and Minerva, and his colts are excelled by no horses on the continent, and there is no doubt that they are of the best stock in America.

John Hoskins.

King & Queen, Feb. 12, 1802.

Public Sale.

By order of Mr. Robert Pollok, on the premises in Manchester, on the 15th April next, that

Brick Tenement,

WITH ITS APPURTENANCES, at present in the occupancy of Messrs. *Robert Pollok & Co.* Terms of sale, 12 months credit—bond with approved security. Mr THOMAS TREADWAY will, on application, shew the premises.

Prosser & Moncure, V. Ms.

March 4th, 1802.

HOUSE of REPRESENTATIVES OF THE UNITED STATES.

February 16,

Debate on the bill received from the senate, entitled "An act to repeal certain acts respecting the organization of the courts of the United States."

(CONTINUED.)

[*Mr.* HEMPHILL's *Speech concluded from our last.*]

To come to a right understanding of the constitution, it will be necessary to enquire what was the generally received opinion about the time the constitution was adopted. I have ever understood that there was no difference of opinion on this point; that the general opinion was, that the words in the constitution rendered the judges independent of both the other branches of government. This appears from the debates in the convention in Virginia to have been their opinion—it appears also, from the strongest implication to have been the opinion of the author of the notes on Virginia. If we can receive no aid from any of these sources, we must take up the constitution and apply to it the general rules for the interpretation of solemn instruments of writing. If in this instrument we find one express and positive provision, it must have its full force, unless we find another provision equally positive, and so inconsistent that one or the other must give way. In the constitution we find these words:—"the judges both of the supreme and inferior courts shall hold their offices during good behaviour," without any other condition or qualification.—Take these words detached from any other part of the constitution, and I ask do they not contain an express and positive provision? If so, what part of the constitution is so inconsistent as to change the nature of this provision from a positive into a conditional one, and in substance to add these words, viz. "on this condition, that congress permit the office so long to remain." It is said in the 8th section of the 1st art. that "congress shall have power to constitute tribunals inferior to the supreme court." This power was necessary to be given, otherwise the tribunals could not have been constituted, and when constituted, the duration of the office is limited in another part of the constitution; and any implied power therein contained cannot be inconsistent with an express provision; for a mere implication is never to take preference of a positive provision. The other words, relied upon, are contained in the 1st sect. of the 3d art. What is the meaning of the words "from time to time?" They are used but in three other parts of the constitution, and when used, they do not convey the idea of undoing what may be done. Indeed they are used in cases where it is impracticable to undo what shall have been done. [Mr. Hemphill here read 5th sect. 1st art. No. 3, 9th sect. 1st art. No. 6, and 3d sect. 2d art.] What do these words mean in that part of the constitution under discussion? The supreme court had been mentioned in the 2d and 3d art.—the supreme court, which implies that there should be but one. They were not used to give congress power to constitute inferior courts, for that power had been previously given, and if the inferior courts, together with the offices of the judges, are, as is contended, subjects of ordinary legislation, these words were unnecessary to enlarge the powers of congress in them, for on all subjects of ordinary legislation congress have an unquestionable right to enact and repeal at pleasure. It is not said in the 8th sect. 1st art. that congress shall have power to borrow money from time to time, to regulate commerce from time to time; or to establish post-offices & post-roads, from time to time; yet no body doubts that congress have a right to make and repeal laws on

the effects, when it appears expedient; and the same power would have extended to the clause giving power to constitute inferior tribunals, if there had been no restriction in any other part of the constitution. As these words are unnecessary to give the power contended for, they must have some other meaning. The plain meaning is this, that these words together with the first part of the section, were not used to give power to constitute courts, for that power had been previously given; they were merely introduced to dispose of the judiciary power, and to declare where it should reside; "the judiciary power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish," meaning by the power before given, which was discretionary as to number: the clause in the 8th sect. of the 1st art. is brought here into view, and in the very next sentence the offices are positively fixed and limited. Here then is an express and positive provision, unconnected by any express declaration, or by any violent implication. It is said, that there are words of negation used as to the compensation of the judges, and why not to the offices? If the words had been—and the judges shall receive for their services a compensation during their continuance in office—will any man in his senses say, that the compensation could be taken away during that continuance? Yet although the compensation could not be taken away, it might be lessened, and the words of negation were to prevent that diminution; but as the legal signification of an office could not be lessened, the words there would have been surplusage.

But, Mr. Chairman, is it probable that the framers of the constitution ever intended to invest congress with a power to destroy the office of a judge in a rising country like this, where all the various sources of litigation are daily encreasing? They foresaw that new judges would be wanted from time to time, but they never could have pictured to themselves a necessity of dispensing with the old judges. If we were framing a constitution this moment, if we had any regard for the independency of the judges, would we invest congress with a power to remove them, or to take away the offices? We could calculate with a reasonable certainty, that if there should at any time be a necessity for their appointment, there would always in this country be a necessity for their continuance—and we could trust this power to one legislature as confidentially as to another. If the framers of the constitution could have entertained any suspicion that a legislature in 1801, would create useless judges for party purposes, with equal propriety they might have supposed that a legislature in 1801, would destroy useful judges for party purposes. But the independency of the judiciary department was the object. This was an invaluable principle, and not more liable to abuse than any other principle so necessary to be settled as the independency of the judges. If we are to argue from the abuse of power, what is there to prevent congress from admitting into the union more new states than would be for the advantage of the nation; the late administration, with the consent of the legislature of Massachusetts, might have erected the province of Maine into 15 or 20 states; the fact is, if there is a necessity for a new state at the time of its admission into the union, the probability is, that there will always be a necessity. So if there is a necessity for a judge at the time of his appointment, the probability is that there will always be a necessity, and the legislature giving birth to the one or the other, are the constitutional judges of that necessity, and no other legislature has a right to interfere. My opinion is, that the framers of the constitution intended, that the judge should be independent of both the other branches of government; that they have spoken plainly and unequivocally; and that the moment the judge is appointed, the office is ingrafted in, and becomes a part of the constitution, and cannot be taken away without impairing the constitution itself. With regard, Mr. Chairman, to the distinction that is taken between the supreme and inferior courts; for my own part I cannot see any force in the argument. Any person of common candour must acknowledge, when the reads the first section and second section of the 3d art. that there is as imperative an injunction to establish some inferior courts as there is to establish one supreme court. It is said that the supreme court shall have appellate jurisdiction, and of course there must be inferior courts from which the appeals must be made, and the duration of office in both courts is contained in the same sentence and words; and it is absurd to suppose that the framers of the constitution affixed a double meaning to these words—the reasons urged against our construction apply as well to the supreme court as to the inferior courts—a dying administration could provide for its friends by increasing the number of judges in the supreme court with as much facility as by creating inferior tribunals. But, sir, if congress have the power contended for, there is not a judge on the supreme bench who is not completely in their power.—The constitution does not say how many judges there shall be, so that you may remove all but one, or you may pass a law placing six new judges on the bench by the side of the present judges, and then for the good of the people, conclude that twelve judges are unnecessary, and repeal the law which created the first six judges, and the imperative words in the constitution will be complied with; the supreme court being always in existence. I see nothing in the constitution which prohibits congress from changing the name of an inferior court, if by the same act the office with all that appertains to it is somewhere preserved. And that congress have a right to transfer some of the duties of the judges from one tribunal to another is clear and evident; it is incident to the power of constituting new tribunals; for when a new court is created, some of the business which would have been cognizable in the old court, must be transferred to the new tribunal. It was this kind of power that congress exercised in passing the law last session; but they did not touch the office, which consists in certain powers, jurisdiction and authority, conferred on a particular person, requiring of him certain duties, which may be exercised in a court bearing a different name from that of the judge. Under the old system the district judges sat in the circuit courts, the supreme judges sat in the circuit courts; and under the old system the district judges of Kentucky and Tennessee had the powers cognizable in a circuit court, with some exception as to appeals, and writ of error; and the 24th section of the law of 13th February, 1801, which abolished the two district courts, transferred the constituent parts of the offices, to wit. all the power, authority and jurisdiction of the said courts into the circuit courts, and by the 7th sect. of the same law, the district judges of Tennessee and Kentucky, with a circuit judge, are to hold the circuit courts, and in the same section it is expressly declared, that when the offices of the district judge, in the districts of Kentucky and Tennessee, respectively, shall become vacant, such vacancies shall be supplied by the appointment of two additional circuit judges, which appointment of course must be made in the usual way. And in the 3d section of the same law, congress have virtually acknowledged their want of power to take away the office of a judge, have provided that after the next vacancy in the supreme court, it shall consist of five justices only.—And as to the additional salaries of the district judges, they will be presumed to be equal to the additional duties, until a complaint is made, and then the fact must be ascertained.

This law then, Mr. Chairman, which expressly recognizes the judges, which expressly declares that the office is not vacant, which expressly continues his duties, & which expressly continues his salary, is likened to a law which destroys the office of a judge, takes away his duty, takes away his salary, and leaves his commission as blank as a piece of paper; and this is the rock on which gentlemen stand, when they triumphantly ask, were we not the guardians of the constitution when the first law was passed.

Mr. Chairman, ingenuity has been exhausted in contriving cases wherein it is said our construction will not hold good. It is asked if in the case of a war, a whole state should be ceded, if the offices of judges would remain? Certainly not; but here the provision in the constitution would not be complied with, the whole strength of the nation would not be sufficient to protect it, yet it would be a case of necessity, a calamity of war, which no constitution can provide against—and in the case put, the most important part of the constitution would not be complied with, which guarantees to each state in the union a republican form of government; yet in that event the ceded state might become the slaves of a tyrant.

But, Mr. Chairman, a doctrine new and dangerous has began to unfold itself. It is said that the judiciary is a subordinate, and not a co-ordinate branch of the government, that the judges have no right to declare a law to be unconstitutional; that no such power is given to that branch in the constitution. Why, sir, it is no where declared that congress have a right to exercise the judgment, or to consider the expediency of a measure; the judiciary from the nature of their institution, are to judge of the law and what is the law: the constitution is paramount and supreme: the judge is bound by his oath to support it: the legislature have a right to exercise their judgment as to the constitutionality of a law on the passage; but the judiciary decide at last, and their decision is final. This doctrine is admitted in the debates of the convention of Virginia—in the case of *Vanhorn, lessees vs. Dorrance*—judge Patterson has expressed the same opinion when he could have no view to this question. 'I hold it to be a position equally clear and sound, that 'in such a case, it will be the duty 'of the court to adhere to the constitution and to declare the act null 'and void. It is an important principle, which in the discussion of 'questions of this kind, ought never 'to be lost sight of, that the judiciary 'in this country is not a subordinate, but co-ordinate branch of the 'government.' The chief magistrate of Pennsylvania has recently expressed the same sentiments, and the correctness of his legal opinions will not be called in question by any party, in assigning his reasons for not approving a law: He says, 'And I cannot from a confidence in the legal 'knowledge, integrity, and fortitude 'of my former brethren in the supreme court, risk my character in a 'judicial decision on this question, 'when I do not foresee any advantage to be derived to my country 'from a possibility of success.'

But, sir, if it is once established that the judiciary is a subordinate and dependent branch of the government, I acknowledge that they have no right to judge of the constitutionality of a law, or, if they have the power, they will be afraid to exercise it.—Upon this principle where will an influential partizan and an insignificant individual meet to adjust their claims in this house or in a tribunal under the influence of this house? Where will the powerful state of Virginia and the state of Delaware meet upon terms of equality, in this house, or in a tribunal under the immediate controul of this house? Where could the federal administration of justice in this country be deposited with more safety than where it is? Entrenched as our judges are, they can do but little harm, but much good; from their situation they can have no temptation to make inroads upon the rights of the people; there is no such thing as judicial patronage; they can appoint no officers, collect no money, raise no armies, raise no fleet.

The three grand branches of our government are well arranged. The president has his proportionate weight in the judiciary, by appointing the judges, when they are appointed they are independent; and in this situation are to guard the legislature from making encroachments on the liberties of the people. The legislature in turn have a check on them by bringing them to trial and punishment, if they should become corrupted; this trial is to commence in this house, which will always be a repository of a sufficiency of passion and spirit to commence the impeachment if there is a sufficient cause—the trial is to be ended in the senate, where the members, from their permanency, will be likely to be cool, and not convict unless they are guilty. Thus the parts are interwoven, operating as checks and controuls on each other; but once cut the ligament, and perhaps the dreadful consequences have not been too highly coloured. The effect may not be immediate, but let the principle be practised upon by two or three changes of administration, and it will become as much a matter of course to remove the judges as the heads of department, and in bad times, the judges would be better than a sword in the hands of a party to put out of the way great and obnoxious characters for pretended treasons.

The independency of the judges was a great point gained by the people of England. While the tenures of office depended on the nod of the crown, they supported the arbitrary measures of the king; in one instance they decided that the king had a right to levy ship money, without the consent of parliament or people; and many an instance might be brought to the recollection of this honorable committee where they determined through fear and not from judgment. It is said they are independent of parliament. Why, sir, nothing is independent of parliament; and there is not the same necessity there. There being no written constitution in England, the judiciary forms no check upon parliament; and besides, our government is not a copy of the British government; and this is not the only solitary instance, where we have outstripped, as it is called, our favorite prototype. There is not a leading feature in the constitution that bears testimony of servile imitation; it is our opponents who wish to test our constitution by the principles of the British government; it is they who wish that a construction put upon the constitution by congress, shall be considered as the constitution itself; and are unwilling that there should be any check to oppose it; and of course every construction put on it by the different legislatures will exhibit the appearance of a new constitution, a constitution to be tossed and blown about by every political breeze. The powers of congress will be equal to the powers of the English parliament, transcendant, splendid, and without controul. I little expected that such lordly power would be grasped at by our plain republicans, who have no ambitious desires, and who wish rulers to be contented with humble prerogatives.

Mr. Chairman, when I reflect upon the intrinsic nature of the question, I am confounded and amazed—it is vast indeed—from a dread of its terrible consequences. Yet in its nature it consists in the open denial of the obvious meaning of a few words in the constitution—we repeat the words, gentlemen deny their plain sense—we read "That the judges both of the supreme and inferior court shall hold their offices during good behaviour."—Our opponents say that these words do not mean "that the judges of both the supreme and inferior courts shall hold their offices during good behaviour." The meaning of these words is entirely different; it is in fact the reverse; they do not infringe our power; they refer to the executive; although the office to be holden is not of executive creation, and he can neither make it or destroy it; the thing to be holden during good behaviour is an object of legislative creation. Certainly our opponents cannot drive us off the firm ground on which we stand, and tell us that these words are not in the constitution. They are, and how are they to be gotten rid of? No other way under heaven, Mr. Chairman, than by a bold and arbitrary assertion that they do not bear their natural meaning; that they do not bear the same meaning which they bear in another part of the constitution. The people have said that a judge shall *hold* his office until a certain event shall happen—the rulers say no, we will shorten the period, and this is not breaking the constitution; or, in other words, the people have said that a judge shall hold his *office* during good behaviour; the rulers say, the meaning of that is, that the office can be taken away at any moment. Why, Sir, what part of the constitution will hold gentlemen, what words are in it strong enough, and what meaning cannot be as easily distorted and perverted? We have a right to our seats here for two years if we do not behave disorderly; yet it might as well be said that the meaning of that is, that two thirds can expel the other third at any moment notwithstanding their good behaviour. Our opponents complain of the want of power;—that their power would be two much cramped and restrained from its natural freedom by our constuction. Why Sir, that is the object of a written constitution, to place objects out of the reach of legislative power. It is its great and grand design.

I ask pardon of the committee for detaining them so long. I ascribe no wicked motives to our opponents. I have the charity to believe that their motives are good and virtuous; yet I am confident that through a mistaken zeal for the good of the people, they are going too far, and are destroying the constitution of our country.

Mr. Thompson (of Virginia)—My impressions, Mr. Chairman, are so extremely dissonant to those of the gentleman from North-Carolina (Mr. Henderson) and from Pennsylvania (Mr. Hemphill,) that I shall readily be excused for protruding my sentiments, with which will be given my objections, upon the present truly important occasion. I will not pledge myself to be able to follow all the arguments of either of those gentlemen, and particularly those of the gentleman from North-Carolina, who in the exuberance of his zeal was transported across the Atlantic, there shewing us in the most vivid colours that spirit, which he so seriously deprecated the appearance of here, sweeping morality from whole nations. I will not pretend to set up my humble powers with his, or to follow him in talents, which rode in the whirlwind, and directed the storm: but, sir, with such humble talents as I do possess, I will endeavour to examine some of the principles, which his high talents have exhibited to the view of gentlemen whom I have the honor of addressing.

Sir, I will examine the subject in the two views it presents to us: first as to the powers given to the constitution, to do this act; and secondly as to the expediency of the act itself. This was the division of the subject the gentleman made, and in their divisions, I will endeavor to combat his arguments; and shall at the same time pay some respect to those of the gentleman from Pennsylvania, whose arguments were conducted with great ingenuity. I will call attention particularly to those particular objects of legislation which the former gentleman insisted on a little, and the latter gentleman treated on at a greater length, and with very great ability. I mean the eighth section of the constitution wherein the powers of congress are designated to be to lay taxes, to borrow money to establish an uniform system of naturalization, to regulate commerce, to coin money, to provide punishment for counterfeiting money, &c. they have also the power of constituting tribunals inferior to the supreme court. I consider, sir, that having the power to constitute inferior courts, they have likewise the power of modifying those inferior courts; and of course to annul the courts which they have the power to constitute and modify. This, I consider, like many others, to be a discretionary power, which might or might not be exercised by congress, as they might find most conducive to the public interests. The giving of Power does by no means make it obligatory on congress to exercise this power: neither does the exercise of one portion of that power imply the obligation to exercise the others; nor does the exercise of any one of those powers prove that this act of exercise cannot be repealed. Sir, it has never been contended or doubted that the power to lay taxes, to raise and support armies, or to do any thing provided in the said eighth section, are unchangeable, obligatory, or irrepealable How then can this power be so considered? By a parity of reasoning this specific part, to wit, to constitute courts inferior to the supreme court, cannot perpetuate itself more than the contiguous part of the same article. Now it is well known all the other items of the section have been modified, and on many of the subjects laws have been repealed. And so might laws respecting the judiciary of the United States; nay, I might say these modifications have been made. I should, perhaps be thought to trespass too much on the patience of the committee were I to go through a tedious detail of the 26 or 27 different laws which contain provisions to this effect. It will perhaps be sufficient to support my doctrine by a reference to the 27th section of the very law this was proposed to repeal. "That the circuit courts of the United States, heretofore established, shall cease and be abolished." A living proof that we tread not on ground which has been heretofore untrodden. To say that a subsequent legislature had not the right to repeal the laws of any preceding legislature, is to declare that preceding legislature infallible: it is to say that they were more wise, more just, and more able to determine the principles of legislation than any who should succeed them. It is in short, denying to mankind the benefits resulting from experience, and from representative governments, because this inimitable legislature which have arrived at the very acme of perfection, ought themselves to be permanent. But sir, this very doctrine for an unchangeable law respecting the judiciary was not considered tenable the last session: our predecessors conceded the principle, and acknowledged by their

practice, that they had a right to modify the courts. With one breath therefore the same gentlemen give us the power, with the next they take it away. But say gentlemen, though you have the power to modify the courts to a certain extent you have no power to remove a judge nor to destroy the office. This brings me to the tenure which the constitution is said to provide for all the judges to hold their offices by 'good behavior,' art. 3. The gentlemen say that whoever attempts to deprive a judge of his office violates the constitution. I agree with the doctrine that whoever attempts to *hurl*, as the gentleman expressed himself, a judge from his office, violates the constitution; but I do not agree with him that we have no right to abolish the office itself. We have certainly by the reference I have made to sect 8. no. 9. the same authority over that granted power which we possess over the other particulars in the same section. How then do we break down any constitutional rampart within which this highly privileged order of men are entrenched? Against whose power are they said to be entrenched? Against that of the legislature and the executive. It seems to me, Sir, that the framers of the constitution never did intend or contemplate any particularly privileged order of men in our society or government. I have read that this is a government of experiment, and that it has no likeness any where else. What can be the result of this principle? It cannot be contended that this judiciary department was better understood than any other department. It cannot be contended that it was so peculiarly tested by experience as to bear the touchstone of truth more than the other parts, upon which the experiment was to be tried. Sir, I contend that it was placed upon the same ground with the others: that there was as ample ground left for its qualification, as for its abolition. Hence this instrument gives congress power from time to time—to establish courts. Evidently, and I believe incontrovertibly proving that congress may or may not ordain and establish these courts. If we admit of a different interpretation from this, what a variety of absurdities shall we not admit? We shall have officers without offices;—shall have judges without courts. We shall have a privileged order of men not amenable to the constitution: men drawing money from the treasury without performing any service whatever. I will ask whether this can be the meaning of the constitution? an instrument which declares that the judges shall, at stated times 'receive a compensation for their services.' Now how can it be for their services if no service is performed by them. If I understand the word compensation it means a something given for a something performed—a recompence but if there be no service performed—and if there be no office there can be no service to perform, then I say there ought to be no compensation. The English have such a word as sinecure; a word which our government do not practically understand: a word which I conceive to be abhorrent to the spirit of our constitution. But admit the doctrine contended for by gentlemen, and it will be a word we shall soon practically know, feel and understand. We shall have a privileged order of men drawing money out of our public treasury, not in consideration of their services, but without performing or having performed any services at all. But this will not be all the evil; we shall lay the foundation of a sinecure system at an incalculable expence and of immense destructive tendency. God forbid that we should ever witness the introduction of so injurious a system into our government.

But sir, to come home again for example, I had occasion to refer gentlemen to the 27th section of the last judiciary law to prove that last congress did abolish the circuit courts. In examining the said law I find the particular duties of the judges of the supreme court defined. They are excused from all their former duties as circuit judges: by which it appears to me that at least one half of their duties were abolished. It proves this doctrine, that if congress had a right to take away half the duties of the judges, it had the same right to abolish the whole of them. I will not however enquire the truth of this doctrine upon constitutional grounds, because I do not conceive it to bear upon the question, since, if I understand the bill upon your table, it does not mean to touch the judges of the supreme court, otherwise than to restore them to their former, their constitutional ground, which they held before the last law passed. This I wish to do. But, sir, I will shew you another section of the law in question, which goes farther still, and which in my opinion does absolutely violate the constitution, notwithstanding the gentleman from Pennsylvania said that it was acknowledged on all sides that the law of last session was constitutional. I beg leave to tell the gentleman that I do not think it so: I consider it an evident infraction of the constitution that the district courts of Tennessee and Kentucky should be abolished, and that the judges of those courts should be made circuit judges, who, with a third since appointed executes the office of the circuit and of the districts in question. See section 24 of the judiciary law. Did I understand the honorable gentleman to say that the name of a judge did not define or constitute the duties of a judge? I know very well, sir, that in this law it does not; I know that while all the duties of a judge of a circuit court are given to district judges, the name of district judges still remains to them. But if those district judges are vested with all the powers of a circuit court, they are circuit judges, and will continue so. How long are we to be entangled with sound, and amused by all the sophistry which the ingenuity of gentlemen can invent to draw us from a true understanding of plain phrases? What can be a more flagrant infraction of the constitution, than this law.—The constitution says that all judges shall be nominated by the president, elected by the senate, and commissioned by the president. But here the district judges of two states are made circuit judges in fact.

To be continued.

Patent Balances.

THE patentee of this very useful invention (which unites the accuracy of scales to the conveniency of steelyards) has sent a few pair to the subscriber, for sale.

They are of different sizes, weighing from a quarter of a pound to one hundred, from one pound to three hundred, and from ten pounds to three thousand weight. They are found to answer all the purposes of weighing with the greatest precision; insomuch that they are used generally in Boston, not only by the merchants, but at the custom-house, and by all the public officers of the state of Massachusetts, their use being authorized by an act of that Legislature. From experiments made here they are found to be correct by the standard, which together with their convenience must give them a great preference to any thing of the kind now in use.

E. W. ROOTES.

March 8, 1802.

By virtue of a decree of the worshipful court of New-Kent County, will be sold to the highest bidder, on a credit of twelve months, at New-Kent Court House, on the second Thursday in April next, being Court day,

A Tract of Land,

Belonging to the estate of John Morriss, dec'd. about two miles from the said Court house, containing one hundred & fifty acres, more or less, and subject to the Widow's Dower, which will be allotted her, before the day of sale. Separate Bonds, with approved security, will be required of the purchaser, by

The Commissioners.

March 2d, 1802.

MARSHAL's SALE.

ON Thursday the first day of April next, 1802, on the plantation where col. William Fleming now resides, in the county of Chesterfield, WILL BE SOLD, to the highest bidder, for Ready Money, the following property, viz.

THIRTY-TWO SLAVES;

Davy, Young Davy, Dover, Will, Toney, Harry, York, Little York, Lucy, Patty, Polly, John, London, Maria, Amy, Charles, Beckey, Spencer, Dolly, Nelly, Sam, Frederick, Jany, Betsey, William, Simon, Jemmy, Nelly, Sally, Violet, Violet, and Dick.

STOCK.

Eight Horses, forty head of Cattle, including three yoke of Oxen; forty old Sheep, twenty-four Lambs, and twenty-five head of Hogs.

CARRIAGES.

One Coachee, one Horse Tumbril, and one Ox Cart.

HOUSEHOLD FURNITURE.

One double keyed Harpsicord, two Dressing Tables, two Book Cases, two Cloths' Presses, one Desk, two Dining Tables, two Side Boards, three Looking Glasses, three dozen Chairs, two large painted Buffets, with glass doors; six Beds and Furniture, four Carpets, one large Rum Case, with bottles, holding 24 gallons; and a great variety of Glass and China Ware, with a number of other articles too tedious to enumerate.

BOOKS.

Encyclopœdia, American edition, 18 vols. Locke's Works, complete; Moll's Geography, folio; Borchave's Chymistry, Cullin's Materia Medica, Ditto Practice of Physic, with Rotherham's Notes, 4 vols. thirteen vols. of Pope's Works, nine vols Plutarch's Lives, 6 vols. Rollin's Bell Letters, four vols. Cicero's Orations, three vols. Ditto Letters, three vols. Ditto Epistles to Atticus, two vols. Ditto Morals, two vols. Montesque's Spirit of Laws, two vols. Sidney on Government; and a great variety of other valuable books.

The property of William Fleming, taken to satisfy an execution which issued on a judgment obtained late in the Court of the United States, for the Middle Circuit, in the Virginia District, by Thomas Main, executor of John Hyndman, who was surviving partner of James Buchanan and Company, against the said William Fleming.

Among the Negroes named in this advertisement, there are several valuable Carpenters and House Servants.

The sale will commence at eleven o'clock on the day and at the place above named, and will continue from day to day until the whole of the above property is sold or so much thereof as will satisfy the above mentioned execution and the legal costs.

Joseph Scott,
Marshal E. V. D

A General Statement of the duties upon domestic distilled spirits, and sugar refined, Licences to retailers of wines and spirits, sales at auction, carriages for the conveyance of persons; and stamped vellum, parchment and paper, during the year ending on the 31st December, 1800.

In what District.	Spirits distilled per statement.		Country Stills per statement.		Sugar refined per statement.		Licences to retailers per statement.		Sales at auction per statement.		Carriages per statement.		Stamps per statement.		Amount payable in each district.	
	Dollars.	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*	*Dollars.*	*Cts.*
New-Hampshire,	117	95					3,675		109	86 ½	1,903	50	4,401	40 ½	9,607	72
Massachusetts,	91,340	43 ½		825	42		14,665		11,782	5 ½	14,096	81	35,174	43 ½	172,894	88
Rhode-Island,	26,013	97 ½					910		574	60	1,046	75	5,663	99	35,702	57 ½
Connecticut,	8,556	29	3,239	17			5,815		142	36 ½						
Vermont,	18	34	171	12			1,660				4,564	77	7,409	52 ½	29,727	12
New-York,	5,831		6,635	11			13,645		13,778	74	180	66	1,190	40	3,220	52
New-Jersey,			12,499	95 ½			2,654		87	75	7,807	75 ½	48,726	64	119,070	23 ½
Pennsylvania,	1593	44	114,477	425 ½	24,646	83	6,196	21	8,981	72	5,233	86	33,319	97	23,496	22 ½
Delaware,			2,454	65			1,148	54		40 ½	7,335	77	47,949	55 ½	211,180	78 ½
Maryland,	2,565	58	1,720	29 ½			4,390		6,734	14	8,683	79	23,887	47	7,911	47
Virginia,			32,769	72	10,253	10	5,680		4,731	94 ½	13,701	47	17,500	49	86,718	22
Ohio,	228	22	104,326	85			165		16	98 ½	287	35	1,877	84 ½	144,168	97
Tennessee,			33,409	14			65				85	50	435	15	35,756	22 ½
North-Carolina,			10,173	20 ½			2,555		348	79	4,834	3	5,838	38	10,758	95 ½
South-Carolina,	14	85	32,897	96			1,785		3,328	61	6,125	63	14,996	21	46,479	1
Georgia,			6,585	42 ½			1,350		1,010	45			1,249 4	57	43,479	46
TOTAL	139,839	14 ½	372,561	30	65,240	88	65,159	44	51,650	41 ½	77,871	41 ½	221,339	22 ½	993,661	82 ½

TREASURY DEPARTMENT,
REVENUE-OFFICE, December 1st, 1801.
WILLIAM MILLER, Junior, Commissioner of the Revenue.

ROBERT GAMBLE,

TAKES this method to inform his friends, in the Country, and the public in general.—That he is provided with a convenient WARE HOUSE, for the reception of Country Produce. Those who may confide to his care, their Flour, &c. may rely on his endeavors to obtain the best Prices the Market will admit. His Charges will be moderate, and he flatters himself, his conduct will prove satisfactory.

Richmond 8, March, 1802. tf

Sales at Vendue,

By PROSSER & MONCURE.

On Monday the 3d day of May next, (the day preceding the Richmond Races,) at 11 o'Clock, A. M. on the premises, viz:

ONE SQUARE, of four half Acre Lots, on one of which are erected, the most convenient and desirable BUILDINGS in this city—the present residence of the subscriber.

Five other Lots between the Bason and the River, severally improved, viz: A two story dwelling house, with stables, garden, and offices complete.

Another comfortable dwelling House; Stables, Garden and Offices, as above.

Another smaller detached dwelling house, with garden only.

A Store-House, now under rent for 150 dollars per annum; and the fifth, containing only a small stable for three horses, and carriage house.

With the view of affording a better effect of this very valuable property, further information may be gained upon application to the Auctioneers.

The terms of sale will be, one fifth paid down, or on a credit of 60 days; the balance in four equal semi annual instalments satisfactorily secured; on interest from the date, if not punctually paid.

Possession, and a clear legal title, will be given, to the entire accommodation of the parties concerned.

D. M. RANDOLPH.

Richmond, Feb. 12, 1802. cotds.

The celebrated running Horse

CLIFDEN,

Imported from England by Dr. William Thornton, one of the Commissioners of Washington,

WILL stand the ensuing season, which will commence the 10th of March, and expire the 10th of August, at the Laurel Meadows in Chesterfield, about five miles from Manchester, at Twenty-Five Dollars the season, (but Twenty Dollars will be received in full discharge thereof, if paid within the season) and Half a Dollar to the Groom. Good and extensive pasturage, and the board of boys sent with Mares GRATIS; but I will not be liable for escapes or accidents. Those who with their Mares fed, will be furnished with grain at the market price, in quantity as directed, for which the money must be sent. Notes will be expected with the Mares.

CLIFDEN is a horse of very fine form, inviting beauty, and uncommon strength; he is full fifteen and a half hands high, of a fine blood bay; his prodigious powers will be best known by exhibiting his performances. He is a very sure foal getter, and his colts are thought equal to any on the continent.

David Patteson.

March 10th, 1802.

CLIFDEN was bred by the Earl of Derby, and sold to Sir John Lade for 500 Guineas, untried; he is from the very best running stock in England, having descended on both sides from Old Matchem, which covered at 50 Guineas a mare for the nine last years of his life, and 25 mares by subscription. In 1792, at 5 years old, he won ten times, and was not equalled (Mr. Wilson's Buzzard excepted) in the years 1792, 3, 4 & 5, as appears by the Racing Calenders for those years.

WM. THORNTON.

cosw.

The Virginia Gazette.

—RICHMOND—

TUESDAY, MARCH 9, 1802.

The debate on the judiciary bill was continued in the House of Representatives of the United States on the 1st inst.

Messrs Gregg and Holland spoke in favor of the bill; and Messrs. Hill, Cutler, and Hastings against it; the last gentleman closed his remarks at 4 o'clock, when Mr. Rutledge moved, that the committee should rise: he was supported by Mr. Griswold.

The motion was opposed by Messrs. Newton, S. Smith, and Mitchell.

The question for the rising of the committee was lost—ayes 31—noes 52.

Mr DANA then rose at 20 minutes past 4 o'clock, and closed his remarks against the bill at 20 minutes past 9 o'clock.

When Mr. Bayard moved the rising of the committee. Motion lost—ayes 32—noes 58.

Mr. PLATER then spoke against the bill for about 15 minutes.

Mr. Foster moved, that the committee should rise. The motion was supported by Mr. Goddard, and opposed by Mr. Dawson.

For rising, yeas 33—nays 57.

Mr. TALLMAGE rose at a quarter before 10 o'clock, and concluded his remarks against the bill a quarter before 11, after which. Mr. LOWNDES spoke for a few minutes against the passage of the bill.

When the MAIN QUESTION was taken on striking out the 1st Section of the bill, and lost—yeas 31—noes 60.

Mr. BAYARD rose and stated his desire to offer certain amendments, the objects of which he specified; and his preponderating wish that they should be discussed in the committee of the whole. But he added, that he should not object to the committee rising and reporting the bill, provided an opportunity were allowed in the house to offer them.

Mr. GRISWOLD was of opinion that it was most proper, that the amendments should be made in the committee: he therefore moved, that the committee rise and ask leave to sit again, in order that the amendments might be submitted to morrow. The question for rising was taken and lost—yeas 37—noes 54.

The remaining sections of the bill were then read, without any amendment being offered. When the committee rose, and reported the bill without amendment; and then the house adjourned at a quarter past 11 o'clock.

In the House of Representatives on the 2d inst. the judiciary bill, as reported from the committee of the whole, was taken up; when Mr. Bayard moved to strike out the first section.

On which motion the yeas and nays were called, and were yeas 30—nays 55. Lost.

Mr. Bayard moved to amend the bill so far as it affected the salaries of the district judges of Kentucky and Tennessee; on which the yeas and nays were taken—yeas 40—nays 53.

Mr. Bayard further moved an amendment to prevent the abatement of suits depending before the circuit courts brought for sums between 400 and 500 dollars.

The yeas and nays were called—yeas 39—nays 49.

Mr. Griswold offered an amendment for continuing certain suits in the district of Ohio, which, he stated would be abated by the bill, on which a debate of some length ensued in which the propriety of at all amending the bill was discussed.

Messrs. Griswold, Fearing, Dana, Lowndes, Fustis, Bayard, Rutledge, spoke in favor of amending, and Messrs. Giles, Bacon, Elmendorff, S. Smith, and Holland, spoke, against amending the bill.

The question on the amendment of Mr. Griswold was taken by yeas and nays, and lost—yeas 37—nays 52.

We shall distinctly state the amendments in a subsequent paper.

[*Nat. Intelligencer.*]

Diſſolution of Partnerſhip.

THE public are hereby notified, that the Partnerſhip in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co.
In Peterſburg,
DUNLOP, POLLOK, & Co.
In Manchester, and
ROBERT POLLOK, & Co.
In Richmond,

Was diſſolved, on the 31ſt day of Auguſt laſt.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Peterſburg, as will Mr. Robert Pollok, thoſe at Richmond and Manchester.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Peterſburg, 8th Oct. 1801.

The Subſcriber, having taken the

Raleigh Tavern,

IN the City of Williamſburg, under his own management; and having laid in a large ſupply of the beſt wines and other LIQUORS, is encouraged to ſuppoſe, from his former ſucceſs in this line of buſineſs, that he ſhall be able to give compleat ſatisfaction to travellers and others, who ſhall reſort to his houſe for entertainment. He alſo with pleaſure informs the public, that owing to the fall which has taken place in the price of moſt of the productions of the country, he is enabled to reduce the Stage Rates to what they formerly were. Baggage carried as uſual, at the riſque of the owner.

Philip Moody.

Williamſburg, Dec. 24, 1801.

NOTICE.

The Subſcribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchaſe of Country Produce.

Should any buſineſs be offered in the Commiſſion Line, it will meet due attention from *Thomas Crews*, reſiding in Lynchburg, and *Will. Long*, here.

Their Office is on the ſecond ſtory above Meſſrs. ELLIS & ALLAN's Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 1ſt, 1802.

KNOWSLEY,

The moſt elegant and high formed Engliſh Horſe, 15 hands 3 inches high, a fine bay, 6 years old laſt May, in great perfection, and as to muſcular ſtrength and beauty not inferior to any horſe in the ſtate, which will be readily acknowledged by thoſe who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemiſh—will ſtand at my ſtable on *Sandy Point* the preſent ſeaſon; and will cover Mares at SIX GUINEAS, which may be diſcharged by the payment of TWENTY DOLLARS on or before the 10th day of Auguſt next: TEN GUINEAS to inſure a colt, and THREE by the Leap, with One Dollar to the Groom at the ſtable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and paſturage ſupplied *gratis*, equal in extent and goodneſs (if not ſuperior) to any in the commonwealth, and laid out in different apartments, ſo as to ſuit Mares in foal, thoſe that have foals, and all others. Here gentlemen will find it greatly to their intereſt to avail themſelves of ſuch advantages, independent of the high conſideration of raiſing horſes from ſo fine a ſtock. This horſe has coſt me on landing in this country upwards of ſeven hundred pounds ſterling, which can be ſeen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have ſold him for 170 Guineas more than the original purchaſe, which evidently proves the high eſtimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horſe called KNOWSLEY, late the property of the Prince of Wales, was bred by me. He was got by Sir Peter Teazle, out of Capella, and was ſix years old laſt May, and no more.

(Signed) "DERBY. [Seal.]
"Knowsley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1771, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See ſame book, page 162. Highflyer was got by Herod—See page 201—And from the may be traced through a noble line of anceſtors for ages paſt, without a ſingle flaw in his genealogy, either on the male or female ſide.

This extraordinary horſe ran often with great credit at two years old, and at three proved ſucceſsful; and ſo continued until the laſt of the year 1800. In 1801 he was purchaſed for me, and ſent to Virginia.—In 1798 he won a ſweepſtakes of 20 guineas each, for three year olds, 8 ſubſcribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Puſh forward, Sir H. Williamſon's Stripling, Mr. Fletcher's g c. Camperdown, Mr. G. Crompton's c. Baſto, and Lord A. Hamilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He alſo won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowſley, who was then Mr. Field's property. See Calendar for 1798. He alſo won a ſweepſtake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tueſday May 28, a ſweepſtakes of 20 guineas each, (7 ſubſcribers) then the property of Mr. Walker, was won by Knowſley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gaſcoigne's Maid of the Mill, and John Robinſon's b. c. Abraham Newland. On Thurſday the 30th following, he alſo won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old, Lord Belhaven's ch. h. Maſter Robert; 6 years old, Mr Wentworth's Barnaby, and Mr. J. Anſon's gr. h. Little Scot, 5 years old.—See Calender for 1799.

IN June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas---10 ſtone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.---See Calendar for 1800, page 35.

Wincheſter, July 8. His Majeſty's Plate of 100 guineas was run for and won by Knowſley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Aſparagus, 5 years old, 6 to 4 on Knowſley.

Lewes, Auguſt 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowſley, beating Lord Donegall's ch. c. Flugleman; four to one on Knowſley. Thurſday following he one a ſubſcription of 10 guineas each, beating Mr. Durand's Belleſima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 and 79.

Litchfield, on Thurſday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 ſtone 7lbs. beating Mr. Heming's b. h. Pioro, ten to one on Knowſley.

Notwithſtanding theſe evidences of Knowſley's ſuperior worth, yet it is my wiſh that gentlemen ſhould be ſtill further ſatisfied by a perſonal view of him; it is alſo my deſire that thoſe who are inclined to ſpeak and act candidly, would viſit me in the Spring, and take a ride over the paſtures, that they may be ſatisfied that nothing here aſſerted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be anſwerable for involuntary eſcapes or accidents.

UNITED STATES:
Fourth Circuit, Eaſtern Diſtrict of Virginia.
December Term, 1801.

Lewis Morgan and Heſter Morgan, executor and executrix of Benjamin Morgan, dec'd. *Plaintiffs,*
AGAINST
Alexander Banks, adminiſtrator with the will annexed of Thomas Banks, deceaſed, who was the ſurviving executor of Jacob Rubſamen, deceaſed, David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, legatees of the ſaid Jacob Rubſamen, dec'd. *Defendants.*

} IN CHANCERY.

THE defendants David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, not having entered their appearance and given ſecurity according to the rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiffs, by their counſel, *It is ordered*, That they ſeverally appear here on the firſt day of the next court, and anſwer the bill of the plaintiffs, and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, for three weeks ſucceſſively, and poſted up at the front door of the Capitol in the ſaid city.

A Copy—Teſte,
WILLIAM MARSHALL, c.c.

Negroes for Sale.

In purſuance of a decree of the hon. the high court of chancery, in the ſuit of James Hunter's executor's againſt the repreſentatives of Robert Coleman and others, will be expoſed to ſale, at Martinſburg, in the county of Berkeley, on Monday the 22d day of March, being court day,

SUNDRY SLAVES,

The property of the late Nath. Pendleton, Eſq. dec. at auction for ready money, to ſatisfy the claim of the plaintiffs againſt the ſaid Robert Coleman and others.

Edward Smith,
Richard K. Meade,
Thomſon Mathew,
} Commiſſioners

Feb. 22, 1802. 4w

SEEDS.

Minton Collins,

Reſpectfully informs his friends and the public, that he has lately received, from the Northern States, a very general aſſortment of

GRASS SEEDS;

And from London, via New-York, a freſh aſſortment of

GARDEN SEEDS,

Which may be had at his SEED STORE, for CASH only, viz.

Red & White Clover,

Trefoile or yellow ditto,
Lucern & Timothy ſeed,
Burnet & Ryegraſs ditto,
Bluegraſs, Burden graſs, & Saintfoine,
Furz or Whin ſeed,
Spring Tares, or Vetches,
Hemp, Flax, Rape, Muſtard, Canary, and Spinage,
Large Norfolk and Summer Turnips,
Early ſalmon, ſhort-top and white Turnip Radiſh ſeed,
Early Frame, Hotſpur, Charlton, Marrowfat, Spaniſh Morotto, & Prolific Peas,
Large Windſor, long pod and Maſſagan Beans,
Blood red Beet, and Solid Celery,
Early York, Sugar Loaf, and Batterſea Cabbage ſeed,
Green and Yellow Savoy do.
Large Winter, Scotch, Dutch & Madeira Cabbage,
Red Dutch to pickle,
Bruſſels Sprouts and Borecole,
Early and late Cauliflower,
Green, purple and white Brocolie,
Salſafie & Narſturtium,
White and green Coſs Lettuce,
Indive Ice Lettuce,
Roman, Cabbage, Brown Dutch, & Grand Admiral Lettuce,
Corn Sallad,
Early Frame & long green Cucumber,
Madeira, Silver ſkin, Red and Welſh Onion,
Red & Orange Cariot,
Large Parſnip,
White and Green Aſparagus,
Garden Creſs, and Peppergraſs,

With a aſſortment of Flower Seeds; Glaſs Flower Bottles; ſome Painted Flower-Pots, and Beachers for Chimney Ornaments, and Red Garden Pots, &c.

A TREATISE on GARDENING, by a Native of this State.

Richmond, Dec. 31, 1801. (tf)

The SUBSCRIBER,

Begs leave to inform the public, and his friends, that he has taken

The TAVERN,

FORMERLY occupied by Col. Parke Goodall, in the City of Richmond; and he flatters himſelf from his knowledge of the buſineſs and his ſtrict attention, to render general ſatisfaction. His houſe ſhall always be ſupplied with the beſt materials for that purpoſe, having a plenty of good ſervants, and an excellent hoſtler; his Stables will be ſupplied with plenty of Forage and Litter.

He wiſhes to take a few

BOARDERS,

at the cuſtomary price; and has alſo made preparations for the accommodation of

FIFTEEN or TWENTY
Members of the Aſſembly,

who ſhall be ſtrictly attended to, by

Peter Wilkinſon.

Richmond, Dec. 1ſt, 1801.

Wanted as a Tutor,

IN a private family, a perſon who is capable of teaching the Engliſh and Latin Languages, alſo writing and arithmetic. Such a one who can come well recommended, as to his ſobriety and good demeanor will meet with generous encouragement. Apply to the printer hereof.

Feb. 15, 1802.

I INTEND leaving the ſtate for a few months, during which time Mr. Andrew Nicolſon, of Manchester, is fully empowered to tranſact any buſineſs on my account.

GEO. NICOLSON.

Richmond, Feb. 18, 1802, 3w

William Temple,

Has Imported by the lateſt arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will diſpoſe of low, by the PIECE or PACKAGE.

He has alſo juſt received the following Articles, for ſale.

5 PIPES,
10 Hogſheads,
8 Qr. Caſks,
} Genuine Old Port WINE.

3 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 6th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
30 Bags Coffee;
300 Sacks Liverpool Salt.

Richmond, Nov. 30 1801.

CASH
GIVEN FOR
TOBACCO,

AT the ſecond houſe below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

UNITED STATES:
Fourth Circuit, Eaſtern Diſtrict of Virginia.
December Term, 1801.

James Bonney, adminiſtrator of Benjamin Bonney, deceaſed, *Pl'ff.*
AGAINST
Alexander Banks adminiſtrator with the will annexed of Thomas Banks, deceaſed, who was the ſurviving executor of Jacob Rubſamen, dec'd. David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, legatees of the ſaid Jacob Rubſamen, deceaſed, *Defendants.*

} IN CHANCERY.

THE defendants David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, not having entered their appearance and given ſecurity according to the rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiffs by their counſel, *It is ordered*, That they ſeverally appear here on the firſt day of the next court, and anſwer the bill of the plaintiffs, and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, for three weeks ſucceſſively, and poſted up at the front door of the Capitol in the ſaid city.

A Copy—Teſte,
WILLIAM MARSHALL, c.c.
cp3w.

Peach & Apple

BRANDY

For Sale by the barrel.

E. W. Rootes.

Richmond, Dec. 21, 1801.

E. W. ROOTES,

HAS FOR SALE,

Antigua Rum, by the Hhd.
Holland Gin, by the Pipe;
Cotton Cards, by the Box, aſſorted;
Philadelphia Porter, by the Barrel, of 3 doz. bottles.
Candles, by the box;
2d 3d 4d 5d and 6d Nails, by the barrel;
20 Tons Swediſh Iron, aſſorted.
Excellent Madder, by the Caſk;

AND A GENERAL ASSORTMENT OF

SHOES.

Richmond, September 26, 1801.

SPORTS OF THE TURF!

NEW-MARKET.

In conſequence of the elections in the different counties in this ſtate coming on the 27th day of April, at which time the New-Market Races are advertiſed, and from a deſire of many gentlemen of the turf alſo, I am compelled to alter the ſame to the third Wedneſday in May, at which time they will certainly commence, agreeable to the former tenor, viz:

FIRST day, a Sweepſtakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This ſubſcription will be kept open until the 15th day of April, and no longer. Entrance to be made by letter or perſonal application to the ſubſcriber. Should more than ſix ſtart, the entrance money of the ſecond beſt will be returned.

Second day, a purſe of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore eſtabliſhed.

Third day, a purſe of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepſtakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This ſubſcription will be cloſed the evening of the third day's race; and if five or more nags ſtart, the entrance money of the ſecond beſt will be returned.

Good ſtables and litter furniſhed for race horſes GRATIS.

STIRLING GARY,
Keeper of the Courſe.

February 14, 1802.

THE Subſcriber having taken the above Courſe for two years, has furniſhed himſelf with good horſe, as well as ſtables, together with others and ſervants of a proper deſcription; alſo, liquors of a ſuperior quality. He flatters himſelf from his experience, and a deſire to pleaſe, in the above buſineſs, to give general and compleat ſatisfaction.

VIRGINIA:
In the High Court of Chancery.

Between
DAVID ROSS, Plaintiff,
And
JOHN OLD, Defendant.

THIS cauſe came on the twenty-ſixth day of May, in the year of our Lord one thouſand eight hundred and one, to be heard on the bill, anſwer, exhibits and examinations of witneſſes, and was argued by counſel; on conſideration whereof the court doth adjudge and decree: unleſs the defendant do on or before the twenty-ſixth day of November next, pay unto the plaintiff, two hundred and ſixty ſeven pounds, thirteen ſhillings and ten pence, of current money of Virginia, with intereſt thereupon to be computed after the rate of five per centum per annum, from the twenty third day of April, one thouſand ſeven hundred and eighty-five, until payment and the coſt expended by the plaintiff, in the proſecution of this ſuit, that the ſaid defendant and his heirs, and all perſons claiming under him, be from thenceforth barred and foreclоſed of all equity and right, to redeem the ſeveral tracts or parcels of land mentioned in the indenture of mortgage, among the exhibits made the twenty third day of April, one thouſand ſeven hundred and eighty-five, between John Old of the one part, and David Roſs of the other part: and in caſe of default in the payment of the ſaid principal money, intereſts and coſts, at the time aforeſaid, that David S. Garland, John Wyatt, George Dillard and John Chriſtian, or any two of them, after giving three weeks previous notice, in one or more of the Richmond newſpapers, do expoſe to public ſale, by auction, for ready money, the lands in the ſaid indenture mentioned and out of the proceeds of ſuch ſale, pay unto the plaintiff, the ſaid principal money, intereſts and coſts, and the ſurplus, if any after deducting the expences attending the ſale, pay unto the defendant, and make report thereof to the court.

A Copy—Teſte
PETER TINSLEY.

Plaintiffs coſts clerk and ſheriffs fees,	Dols.	Cts.
	16	97
Lawyers fee and tax,	17	66
	34	63

IN obedience to the foregoing decree, we will ſell, at public ſale, at Amherſt court houſe, for ready money, on the 15th day of March next, (it being court day) the Lands in the ſaid decree referred unto, which we find by the Mortgage to be 120 acres more or leſs, in the great bent of James River, Amherſt county, purchaſed by the ſaid John Old, from George Hilton; alſo another piece or parcel of Land, containing five acres, commonly called the Mine-Bank, purchaſed from ſaid George Hilton. This Land was intended, as we are informed by the ſaid John Old, for erecting a furnace for making iron, for which purpoſe it is tho't to be well adapted. The ſaid mortgage alſo conveys all the entries made by ſaid Old, joining the ſaid land, which will be ſold at the ſame time and place.

David S. Garland.
George Dillard.
John Chriſtian.

January 30, 1802. tdſ

SECOND NOTICE,
In the caſe of JOHN CARTER,
BANKRUPT.

WHEREAS a commiſſion of bankrupt is founded upon the ſtatute of the Congreſs of the United States, paſſed the fourth day of April, in the year one thouſand eight hundred, entituled, "An Act "to eſtabliſh an uniform Syſtem of Bankruptcy throughout the United States," has been awarded and iſſued againſt *John Carter*, of Pittſylvania county, in the diſtrict of Virginia, *Merchant*, and he has been declared *Bankrupt*; and he is hereby required to ſurrender himſelf to the commiſſioners in the ſaid commiſſion named, or the major part of them, on the third and thirty-firſt days of March, and on the third day of April, next enſuing, at eleven of the Clock in the forenoon of each day, at the office of the *Underſigned*, lower end of Bollingbrook-ſtreet, in the town of Peterſburg, and make a full and true diſcovery and diſcloſure of his eſtate, real and perſonal, of every nature and deſcription, to which he may be entitled either in law or equity, when and where his creditors are to come prepared to prove their debts, at the ſecond meeting to chooſe aſſignees, and at the laſt meeting the ſaid Bankrupt is required to finiſh his examination.

All perſons indebted to the ſaid Bankrupt, or who have any of his effects, are not to pay or deliver the ſame, but to whom the commiſſioners ſhall appoint.

CONRADE WEBB,
Solicitor to the Commiſſion.

Commiſſioner's Office, Peterſburg, 20th February, 1802. } 1Ap.3

A FEW COPIES OF

Henning's Juſtice,

May be had at this Office, and of Mr. Pom. Ly. Ray, Book-Binder and Stationer.